

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WHITNEY NATIONAL BANK,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	CASE NO.: 2:07cv414-MEF
	)	
THOMAS J. MILLS, <i>et al.</i> ,	)	
	)	
DEFENDANTS.	)	

**ORDER**

This cause is before the Court on the Motion to Dismiss or in the Alternative Motion to Stay First Amended Complaint (Doc. # 34) filed on November 27, 2007 by Defendant Thomas J. Mills. The Court has carefully considered the arguments made in support of and in opposition to this motion and the applicable law. It is hereby ORDERED that the motion is DENIED with respect to all relief requested.

DONE this the 19<sup>th</sup> day of February, 2008.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE